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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,069	01/22/2002	George T. Blike	ALLIA.229A	3894
7590 11/03/2003			EXAMINER	
HINCKLEY, ALLEN & SNYDER, LLP			NASSER, ROBERT L	
43 NORTH M. CONCORD, N	AIN STREET NH 03301-4934	•	ART UNIT	PAPER NUMBER
·			3736	

DATE MAILED: 11/03/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

		ΝK
,	Application No.	Applicant(s)
	10/054,069	BLIKE, GEORGE T.
Office Action Summary	Examiner	Art Unit
	Robert L. Nasser	3736
The MAILING DATE of this communication Period for Reply	appears on the cover sheet wit	th the correspondence address
A SHORTENED STATUTORY PERIOD FOR RETHE MAILING DATE OF THIS COMMUNICATION Extensions of time may be available under the provisions of 37 CF after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, If NO period for reply is specified above, the maximum statutory provided in the period for reply within the set or extended period for reply will, by so Any reply received by the Office later than three months after the rearned patent term adjustment. See 37 CFR 1.704(b).	ON.  R 1.136(a). In no event, however, may a rent.  a reply within the statutory minimum of thirty eriod will apply and will expire SIX (6) MONT at tatute. cause the application to become AB.	ply be timely filed  (30) days will be considered timely.  THS from the mailing date of this communication.  ANDONED (35 U.S.C. & 133)
1) Responsive to communication(s) filed on	20 August 2003 .	
2a) ☐ This action is FINAL. 2b) ☑	This action is non-final.	
<ol> <li>Since this application is in condition for al closed in accordance with the practice un Disposition of Claims</li> </ol>	lowance except for formal mati der <i>Ex parte Quayle</i> , 1935 C.D	ters, prosecution as to the merits is 0. 11, 453 O.G. 213.
4)⊠ Claim(s) <u>1-20</u> is/are pending in the application	ation.	
4a) Of the above claim(s) is/are with	drawn from consideration.	
5) Claim(s) is/are allowed.		
6) Claim(s) is/are rejected.		
7) Claim(s) is/are objected to.		
8)⊠ Claim(s) <u>1-20</u> are subject to restriction and	l/or election requirement.	
Application Papers		
9) The specification is objected to by the Exam	niner.	
10)☐ The drawing(s) filed on is/are: a)☐ a		
Applicant may not request that any objection		
11) The proposed drawing correction filed on _		sapproved by the Examiner.
If approved, corrected drawings are required i		
12) The oath or declaration is objected to by the	e Examiner.	
Priority under 35 U.S.C. §§ 119 and 120		
13) Acknowledgment is made of a claim for for	eign priority under 35 U.S.C. §	119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:		
<ol> <li>Certified copies of the priority document</li> </ol>	nents have been received.	
2. Certified copies of the priority docum	nents have been received in Ap	pplication No
<ul> <li>3. Copies of the certified copies of the application from the Internationa</li> <li>* See the attached detailed Office action for a</li> </ul>	I Bureau (PCT Rule 17.2(a)).	-
14) ☐ Acknowledgment is made of a claim for dom		
a) $\square$ The translation of the foreign language	provisional application has be	en received.
15) Acknowledgment is made of a claim for don Attachment(s)	resuc priority under 35 U.S.C.	99 1∠U and/or 121.
1) Notice of References Cited (PTO-892)	4) T 1-1	ummani (RTO 442) Paran Nata
2) Notice of References Cited (P10-692) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948 3) Information Disclosure Statement(s) (PTO-1449) Paper No	) 5) Notice of In	ummary (PTO-413) Paper No(s) formal Patent Application (PTO-152)

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The new examiner regrets that upon examination of the case, it is clear that figures 9 and figures 11 are distinct species. As such, this new election requirement is being entered in the case. The examiner apologizes for any delay caused hereby and notes that if applicant wishes to fax the response to the examiner, the examiner will do his best to expedite the application.

This application contains claims directed to the following patentably distinct species of the claimed invention: \*\*\*

Species I, drawn to figure 2.

Species II, drawn to figure 4.

Species III, drawn to figure 7.

Species IV, drawn to figure 9.

Species V, drawn to figures 11-13.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

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Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

A telephone call was made to \*\*\* on \*\*\* to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert L. Nasser whose telephone number is (703) 308-3251. The examiner can normally be reached on Mon-Fri, variable hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Max Hindenburg can be reached on (703) 308-3130. The fax phone

number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0858.

Robert L. Nasser Primary Examiner Art Unit 3736

RLN October 21, 2003

> ROBERT L. NASSER PRIMARY EXAMINER